

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Joseph Upsher,

Plaintiff(s),

vs.

TEN UNKNOWN NAMED
AGENTS/OFFICERS

Defendant(s).

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CLERK
U.S. DISTRICT COURT
MINNEAPOLIS, MINNESOTA

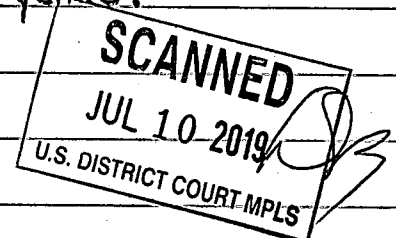
CASE No. 19-1805 MJD/HB
(To be assigned by Clerk of District Court)

DEMAND FOR JURY TRIAL

YES ☒ NO ☐

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS UNDER
42 U.S.C. § 1983

I. THERE ARE NO OTHER LAWSUITS IN STATE OR FEDERAL COURT
DEALING WITH THE SAME FACTS INVOLVED IN THIS ACTION OR
OTHERWISE RELATING TO THIS ISSUE IN THE LAST THREE YEARS.



II. The Plaintiff is no longer in confinement for this action. However, he is in the custody of the Ramsey County Adult Detention Center at 425 Grove Street, St. Paul, Minnesota 55101, involving a different legal action.

III. The Plaintiff as Pro Persona in State Court, Minnesota, Goodhue County, First Judicial District, Court File Number 25-CR-12-2908 came before Judge of District Court, Lawrence F. Clark on April 30, 2018, on Defendants motion to correct his sentence. The Cause of Action being under Minn. Rule Crim. Pro. 27.03, Subd. 9. THE ORDER: Defendants motion to vacate the Conditional Release portion of his sentence is hereby GRANTED, and thereby leaving the Plaintiff to past suffering Personal Injury.

IV. The Plaintiff as Pro Persona Counsel in State Court, Minnesota, Goodhue

County, First Judicial District, Court File Number 25-CR-16-1834

was a 07/26/2016 Concurrency while on Charge or Conviction or

Adjudication with Court File Number 25-CR-12-2908 as a

satisfied sentence on defendant's motion to correct his sentence. The

Cause of Action being under Minn. Rule Crim. Pro. 27.03, Subd. 9. THE

ORDER: Defendant's motion to vacate the Conditional Release portion

of his sentence is hereby GRANTED, leaving the Plaintiff to past

suffering Personal Injury.

V. STATEMENT OF THE CLAIM

A. Between 02/10/2014 to 10/02/2014 in Goodhue County, City of Red

Wing, at the Minnesota Department of Corrections House/Facility

located at 783 Plum Street, the Plaintiff was held in custody

against his will [after the Expiration of his sentence] by

Unknown named Agents/Officers and suffered Personal Injury.

Cruel and Unusual Punishment, Post Traumatic Stress Disorder,

[Ignorance to the law no exception to the rule] under a

Unauthorized Conditional Release and violated the Law, for

Actions he/she take under color of state law, and is being

13.

identified as an Agent/Officer/Official being sued in his/her

individual capacity because he should have known that

he/she was causing Personal Injury to the Plaintiff under

the unlawful situation he confronted, and violating Plaintiff's

clearly-established federal rights.

B. On or about 10/02/2014 the Plaintiff Inter-State transferred [after

the expiration of his sentence] from the Department of Corrections

House/Facility at 783 Plum Street, City of Red Wing, authorized

by unknown Agents/Officers/Officials [under the Conditional
release portion of his sentence] to the state of Texas Board
of Pardons and Parole Division, residing at 6311 Beverly
Hill Street, Houston, Texas, [the Minnesota Department of
Correction's the governor] and suffered Cruel and
Unusual Punishment under the Personal Injury by
placing him to Involuntary Servitude [under a
Unauthorized Conditional Release] and violated the Law, for
actions he/she takes under color of State Law, and is being
identified as an Agent/Officer being sued in his/her
individual capacity because he/she should have known that
he/she was causing Personal Injury to the Plaintiff under
the unlawful situation he confronted, and violating the
Plaintiff's clearly-established federal rights.

C. On 11/02/2015 to 12/22/2015 the Plaintiff was held In-Custody
At the Fort Bend County Jail, 1410 Ransom Rd. Richmond, Texas,
for violation of his Conditional Release Parole portion of his
sentence [after the Expiration of his prison sentence] Against
his will [where the Minnesota Predatory Offender Registration
is no longer applicable] and suffered Personal Injury, Cruel
and Unusual Punishment, Post Traumatic Stress Disorder, loss of
financial income, Depression, Hopelessness by unknown named
Agents/Officers [under an Unauthorized Conditional Release]
and Transported the Plaintiff from Texas to the Minnesota
Department of Corrections Lind Lakes Facility, 7525 4th
Avenue [Ignorance to the law being no exception to the rule]
and violated the law, for actions he/she takes under color
of state law, and is being identified as an Agent(s)/Officer(s)

being sued in his/her individual capacity because he should have known that he/she was causing Personal Injury to the Plaintiff under the unlawful situation he confronted, and violating the registration law, and the Plaintiffs clearly - established Federal rights.

D. On or about 03/07/2016 the Plaintiff was transported against his will and under Duress by unknown named Agents / Officers from Custody of the Department of Correction [under GPS ankle bracelet] to the Department of Corrections House / Facility at 783 Plum Street, [under Intensive Supervised Release] City of Red Wing, County of Goodhue, from MCF LIND LAKES, and suffered Personal Injury, Post Traumatic Stress Disorder, Involuntary Servitude,

DURESS [after the expiration of his prison conviction] and [during the Unauthorized Conditional Release portion of his sentence] and whereby [ignorance to the law being no exception to the rule] and violated the law, for actions he/she takes under color of state law, and is being identified as an Agent(s)/Officer(s) being sued in his/her individual capacity because he/she should have known that he/she was causing Personal Injury to the Plaintiff under the unlawful situation he confronted, and the Plaintiffs clearly - established federal rights.

E. On or about 07/26/2016 to 01/27/2017 the Plaintiff was arrested, charged and convicted [under the Conditional Release portion of his sentence] for Escape From Custody -

Held Pursuant to Lawful Arrest, While on Charge or
Conviction or Adjudication [after the expiration of his
prison conviction] and whereby [ignorance to the law
being no exception to the rule] in the City of Red Wing,
Goodhue County, Minnesota, against his will by unknown
Agents / Officers and suffered Personal Injury, Cruel
and Unusual Punishment, Post Traumatic Stress Disorder,
Involuntary Servitude, Duress, Depression and Financial
Regression, and violated the law, for actions he/she takes
under color of state law, and is being identified as an
Agent(s) / Officer(s) being sued in his/her individual
capacity because he/she should have known that he/she
was causing Personal Injury to the Plaintiff under the

unlawful situation he confronted, and the Plaintiffs
clearly - established Federal Rights.

F. During these matters of Incarceration [after the
Expiration of his prison sentence] and [during the
Unauthorized Conditional Release portion of his sentence]
and whereby [Ignorance to the Law is no Exception to
the Rule] the Plaintiff suffered Personal Injury by
unknown Agent(s)/Officer(s), of Mental Anguish,
Indecent Exposure (Strip Searches), Physically being
Shackled and Handcuffed, oppressed, Psychologically
Injured, that violated the law, for actions he/she takes
under the color of state law, and is being identified
As an Agent(s)/Officer(s) being sued in his/her

individual capacity because he/she should have known that he/she was causing Personal Injury to the Plaintiff under the unlawful situation he confronted, and the Plaintiffs clearly - established Federal Rights when he said to everyone, and anyone who would listen [even as a sounding board] that the Conditional Release portion of his sentence was illegal and Unconstitutional, and bringing him back to Minnesota from Texas [where the Predatory Offender Registration was no longer applicable] and violated the Registration Law up to July 10, 2018.

VI. REQUEST FOR RELIEF

1. The Plaintiff [the moving party] wants the Court to Grant

him the following Injunctive Relief:

A. That the Minnesota Predatory Offender Registration

be vacated since the Plaintiff was legally residing

in the State of Texas, Houston, Harris County,

where the Minnesota Predatory Offender Registration

is no longer applicable; and he be opportunited to

generate enough money to fly, or take a bus, or a

train back to Texas, without fear of retaliation by

the unknown Agents/officers or affiliations; or

pay for his transportation back to Texas, City of

Houston, Harris County with all his rights restored.

2. The Plaintiff [the moving party] wants the Court to Grant

him the following Damages Relief:

A. Personal Injury damages for Wrongful Incarceration

in the amount of $[\$1,500,000.00]$ one million five

hundred thousand dollars and zero cents.

B. Personal Injury damages for Involuntary Servitude in

the amount of $[\$300,500.00]$ three hundred thousand

five hundred dollars and zero cents.

C. Personal Injury damages for Indecent Exposure "Strip

Searches" in the amount of $[\$1,000,000.00]$ one million

dollars and zero cents.

D. Personal Injury damages for Cruel and Unusual

Punishment in the Amount of $[\$750,500.00]$ seven

hundred fifty thousand five hundred dollars and
ZERO cents.

E. Personal Injury damages for [Psychological] Past

Traumatic Stress Disorder in the amount of [$\$800,000.00$]

Eight hundred thousand dollars and ZERO cents.

F. Personal Injury damages for [Financial Loss] Career

Employment / Self Employment in the amount of

[$\$300,000.00$] three hundred thousand dollars

and ZERO cents.

3. The Plaintiff [moving party] wants the Court to Grant him

the further following Injunctive Relief:

A. Expungement of the Records

B. Sealing of the Expunged Records

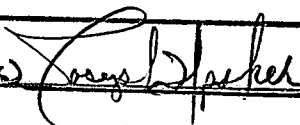
I, Joseph Upsher, as Pro Se Counsel [moving party], hereby

certify under penalty of perjury that the above complaint is

true to the best of my information, knowledge, and belief.

Signed this June 18 day of Tuesday, 2019.

Signature(s) of Plaintiff(s)



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